

Message Text

LIMITED OFFICIAL USE

PAGE 01 GENEVA 10078 221447Z
ACTION EB-07

INFO OCT-01 EA-07 IO-13 ISO-00 FEA-01 AGRE-00 CEA-01
CIAE-00 COME-00 DODE-00 FRB-03 H-01 INR-07 INT-05
L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15
STR-04 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02 OMB-01
/095 W

----- 093420 /63

R 221350Z DEC 76
FM USMISSION GENEVA
TO SECSTATE WASHDC 4319
INFO AMEMBASSY CANBERRA
AMEMBASSY TOKYO
AMEMBASSY WELLINGTON

LIMITED OFFICIAL USE GENEVA 10078

PASS STR AND AGRICULTURE

E.O. 11652: N/A
TAGS: ETRD, GATT
SUBJ: AUSTRALIAN ARTICLE XXII:1 CONSULTATIONS WITH JAPAN ON
BEEF IMPORT RESTRICTIONS

REF: STATE 306914

1. ON DECEMBER 21 ARTICLE XXII/1 CONSULTATIONS CONCERNING
JAPAN'S BEEF IMPORT RESTRICTIONS WERE HELD BETWEEN JAPAN,
AUSTRALIA, NEW ZEALAND AND THE U.S. THE CONSULTATIONS
CONSISTED PRIMARILY OF A DIALOGUE BETWEEN JAPAN AND
AUSTRALIA, NEW ZEALAND ASSUMING A RESERVED ATTITUDE AND
THE U.S. PLAYING A LOW-KEY ROLE. THESE CONSULTATIONS
WERE PROMPTED BY NEW JAPANESE BEEF IMPORT RESTRICTIONS
(SMALLER QUOTAS). THEY WERE A RESUMPTION OF THE
CONSULTATIONS WHICH HAVE TAKEN PLACE IN 1975.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 GENEVA 10078 221447Z

2. AUSTRALIA, IN A LENGTHY EXPOSE, FOCUSED HEAVILY ON
THE LACK OF GATT CONFORMITY OF JAPANESE BEEF IMPORT
PRACTICES. AUSTRALIA ASKED HOW JAPAN INTENDS TO
JUSTIFY THE REDUCTION IN IMPORT QUOTAS SINCE IT HAS
FAILED TO NOTIFY GATT OF THESE MEASURES. AUSTRALIA
EMPHASIZED THAT THE CURRENT JAPANESE BEEF IMPORT

SYSTEM CANNOT BE JUSTIFIED UNDER ARTICLE XI OR ARTICLE XIX. MOREOVER, AUSTRALIA STATED THAT THE QUOTAS ARE NOT ALLOCATED AND ADMINISTERED IN A NON-DISCRIMINATORY WAY, AS REQUIRED BY GATT ARTICLE XIII. AUSTRALIA DWELT AT LENGTH AT THE ROLE PLAYED BY LIPC IN JAPANESE BEEF IMPORTS. SINCE LIPC ACCOUNTS FOR OVER 90 PERCENT OF JAPANESE BEEF IMPORTS, AUSTRALIA CONSIDERS LIPC AS A STATE TRADING ENTERPRISE. HOWEVER, JAPAN HAS FAILED TO NOTIFY THE CONTRACTING PARTIES OF THE EXISTENCE OF THIS STATE TRADING MONOPOLY FOR BEEF IMPORTS. AUSTRALIA THEN INQUIRED WHETHER JAPAN WILL CONFORM WITH ARTICLE XVII BY GIVING TO THE CONTRACTING PARTIES THE INFORMATION REQUESTED UNDER THIS ARTICLE. FOR INSTANCE, JAPAN SHOULD INDICATE IN CONFORMANCE WITH ARTICLE XVII:4B THE IMPORT MARK-UP OF IMPORTED BEEF OR THE RESALE PRICE OF SUCH BEEF. MOREOVER, LIPC SHOULD, AS REQUIRED UNDER ARTICLE XVII, ACT LIKE A COMMERCIAL ENTERPRISE AND NOT, AS THE AUSTRALIANS HAVE REASONS TO BELIEVE, INTERFERE WITH NORMAL COMMERCIAL PRACTICES. AUSTRALIA ALSO STATED THAT APART FROM THESE LEGAL CONSIDERATIONS LIPC HAS KEPT PRICES HIGH AND THUS DISCOURAGED CONSUMPTION IN SPITE OF A TENDENCY TOWARD DOMESTIC SURPLUSES.

3. IN REPLY THE JAPANESE STATED THAT THE PRESENT REDUCED IMPORT QUOTAS DO NOT REPRESENT A NEW RESTRICTION AND DO NOT REQUIRE SPECIAL GATT NOTIFICATION SINCE THE JAPANESE BEEF IMPORT SYSTEM HAS NOT BASICALLY CHANGED. THE JAPANESE FURTHER STATED THAT THEIR BEEF IMPORT LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 GENEVA 10078 221447Z

SYSTEM REPRESENTS A RESIDUAL IMPORT RESTRICTION, AND THAT JAPAN DOES NOT INTEND TO JUSTIFY THESE RESTRICTIONS IN TERMS OF SPECIFIC GATT PROVISIONS. THEY DENIED THAT LIPC REPRESENTS A STATE TRADING ENTERPRISE OR A STATE IMPORT MONOPOLY. LIPC DOES NOT CONDUCT ALL IMPORTS; ONLY ADMINISTERES IMPORT QUOTAS AND IS FUNCTIONING ON THE BASIS OF COMMERCIAL CONSIDERATIONS.

4. THE JAPANESE CONCLUDED THAT THE PRESENT SMALLER QUOTA OF 20,000 MT WILL BE INCREASED BUT THEY COULD NOT SAY BY HOW MUCH AND WHEN THIS WILL HAPPEN DURING THE CURRENT FISCAL YEAR. CATTO

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FOREIGN POLICY POSITION, MEATS, IMPORT CONTROLS, IMPORT QUOTAS, LEGISLATIVE BILLS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: saccheem
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976GENEVA10078
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760470-0092
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761221/aaaaasal.tel
Line Count: 110
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 STATE 306914
Review Action: RELEASED, APPROVED
Review Authority: saccheem
Review Comment: n/a
Review Content Flags:
Review Date: 17 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17 MAY 2004 by woolflhd>; APPROVED <02 SEP 2004 by saccheem>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: AUSTRALIAN ARTICLE XXII:1 CONSULTATIONS WITH JAPAN ON BEEF IMPORT RESTRICTIONS
TAGS: ETRD, AS, JA, NZ, US, GATT
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006